

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                                  |   |              |
|----------------------------------|---|--------------|
| WINN-DIXIE STORES, INC., et al., | : |              |
| Plaintiffs,                      | : | CIVIL ACTION |
| v.                               | : |              |
|                                  | : |              |
| EASTERN MUSHROOM MARKETING       | : |              |
| COOPERATIVE, et al.,             | : | No. 15-6480  |
| Defendants.                      | : |              |

**ORDER**

AND NOW, this 8<sup>th</sup> day of **January 2020**, upon consideration of Motion to Dismiss of Franklin Organic Mushrooms, Inc. Pursuant to Rule 12(b)(5), Plaintiffs' Cross-Motion for Enlargement of Time to Serve Process on Franklin Farms, and the responses and replies thereto, and for the reasons stated in this Court's Memorandum dated January 8<sup>th</sup> 2020, it is **ORDERED** that:

1. Motion to Dismiss of Franklin Organic Mushrooms, Inc. Pursuant to Rule 12(b)(5) (Document No. 160) is **DENIED**.
2. Plaintiffs' Cross-Motion for Enlargement of Time to Serve Process on Franklin Farms (Document No. 172) is **GRANTED**. Winn-Dixie shall have fourteen days from the date of this Order to effectuate service of process on Franklin Organic Mushrooms, Inc.

**BY THE COURT:**



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Berle M. Schiller, J.